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Skylar Lambert, Danielle Lituski, and Chad Lituski

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MY DAILY CHOICE, INC.,  
  
Plaintiff/  
Counterclaim-Defendant,  
  
v.  
  
WILLIAM T. BUTLER,  
KRISTEN BUTLER, and ARIEYL, LLC,  
  
Defendants/  
Counterclaim-Plaintiffs/  
Third Party Plaintiffs,  
  
v.  
  
JOSH ZWAGIL, JENNA ZWAGIL, and  
KARLI THOMAS,  
  
Third Party Defendants.

Case No. 2:20-cv-02178-JAD-NJK

**STIPULATION & ORDER TO  
EXTEND COUNTERCLAIMANTS'  
DEADLINE TO RESPOND TO  
MOTION TO DISMISS**

**(First Request)**

ECF Nos. 80, 81

MY DAILY CHOICE, INC.,  
  
Plaintiff,  
  
v.  
  
MARISSA BROOKE DONNELL,  
  
Defendant.

Case No. 2:20-cv-02225-JAD-NJK

MY DAILY CHOICE, INC.,

Plaintiff,

v.

SKYLAR LAMBERT,

Defendant.

Case No. 2:20-cv-02228-JAD-NJK

MY DAILY CHOICE, INC.,

Plaintiff,

v.

DANIELLE LITUSKI, and CHAD LITUSKI,

Defendants.

Case No. 2:20-cv-02232-JAD-NJK

Defendants/Counterclaimants William T. Butler, Kristen Butler, and Arieyl, LLC (“Counterclaimants”) and Plaintiff/Counterclaim Defendant My Daily Choice, Inc. (“Counterclaim Defendant”) (collectively, the “Parties”), through counsel, hereby stipulate and request that the Court extend the date by which Counterclaimants may respond to Counterclaim Defendant’s Motion to Dismiss from November 26, 2021 until December 10, 2021.

In support of this Stipulation, the Parties state as follows:

1. On October 7, 2021, Counterclaimants filed their Counterclaims against Counterclaim Defendant.

2. On October 14, 2021, counsel for the Parties agreed to extend the date by which Counterclaim Defendant must respond to the Counterclaims by two weeks, from October 28, 2021 to November 11, 2021.

3. On November 11, 2021, Counterclaim Defendant filed its Motion to Dismiss with this Court.

4. On November 18, 2021, counsel for the Parties agreed to extend the date by which Counterclaimants must respond to Counterclaim Defendant’s Motion to Dismiss by two weeks, from November 26, 2021 to December 10, 2021.

5. Good cause exists to extend time by which Defendants are required to respond to Counterclaim Defendant's Motion to Dismiss due to counsel's schedule during the Thanksgiving holiday and the need for additional time to review, research, evaluate, and respond to MDC's arguments in the Motion. Counterclaimants have previously accommodated Counterclaim Defendant's request for additional time to respond to the Counterclaim.

6. Accordingly, the Parties hereto stipulate that the date by which Counterclaimants shall file their response to Counter Defendant's Motion to Dismiss is extended by 14 days from November 26, 2021 to December 10, 2021.

IT IS SO STIPULATED.

Respectfully Submitted,

Dated this 19<sup>th</sup> day of November 2021.

GARMAN TURNER GORDON LLP

By: /s/ Ross M. Campbell

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Attorneys for Plaintiff and Counter-

Defendant, My Daily Choice, Inc.

Dated this 19<sup>th</sup> day of November, 2021

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By: /s/ Ronald Green

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Counterclaimants and

Third-Party Plaintiffs

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

NOVEMBER 22, 2021